

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JUSTYN STACK,  
individually and on behalf of all others  
similarly situated,

Plaintiff,

v.

DEANGELO BROTHERS, LLC,

Defendant.

Civ. A. No. 1:17-cv-11006-RWZ

**ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

**WHEREAS**, this matter having been brought before the Court on the Parties' Joint Motion for Final Approval of Proposed Class Action Settlement ("the Motion") by Plaintiff Justyn Stack ("Plaintiff") and Defendant DeAngelo Brothers, LLC ("Defendant") (Plaintiff and Defendant collectively referred to as the "Parties"), by and through their respective counsel, request that the Court, for settlement purposes only: 1) grant final approval of the proposed Settlement in the case of *Justyn Stack, individually and on behalf of all others similarly situated v. DeAngelo Brothers, LLC*, Civil Action No.: 1:17-cv-11006; 2) grant final certification of the Class for settlement purposes only; 3) approve Plaintiff's and Class Counsel's motion for attorneys' fees, costs and class representative incentive award; and 4) dismiss the matter on the merits with prejudice.

**WHEREAS**, the Court issued a Preliminary Approval Order, granting preliminary approval of the Settlement Agreement on April 11, 2018; and

**WHEREAS**, the Court has considered the papers submitted in support of the Motion for Final Approval of the Settlement and Plaintiff's/Class Counsel's motion for attorneys' fees, costs and class representative incentive award; and

**WHEREAS**, good and sufficient cause has been shown for the entry of this Order,

**IT IS, ON THIS** 24<sup>th</sup> **DAY OF** July, 2018, **HEREBY ORDERED,**

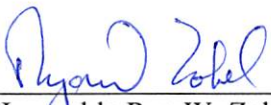
**ADJUDGED AND DECREED AS FOLLOWS:**

1. This Final Approval Order incorporates by reference the definitions in the Settlement Agreement, and all terms used herein shall have the same meanings as set forth in the Agreement.
2. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, and consistent with due process, this Court hereby grants final approval of the Agreement, and finds that the settlement consideration is fair, and that the settlement is, in all respects, fair, reasonable, and adequate to the Settlement Class Members, and the parties are hereby directed to perform its terms.
3. The Court finds that the notice provided to Settlement Class Members was the best notice practicable and fully satisfied the requirements of the Federal Rules of Civil Procedure, due process, and any other applicable laws. Settlement Class Members had the right to exclude themselves by way of the opt-out procedure set forth in the Agreement and described in the Notice. No Settlement Class Members have requested exclusion for the Settlement pursuant to that procedure.
4. Having reviewed the arguments made by Plaintiff and his Counsel in their motion requesting attorneys' fees, costs and incentive payment, this Court finds the amount sought is reasonable and approves an award of attorneys' fees and

costs to the Settlement Class Counsel in the amount requested in their motion.

The Court also approves Plaintiff's request for an incentive payment in the amount requested in the motion.

5. The Court orders that all payments be made in the matter described in the Parties' Agreement.
6. This Court hereby dismisses with prejudice on the merits and without costs (except as other provided in the Agreement) the above-captioned action.
7. Without affecting the finality of this Final Approval Order in any way, this Court retains continuing jurisdiction to implement the Agreement and to construe, enforce and administer the Agreement. Class Counsel will continue in their role to administer the settlement.

  
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Honorable Rya W. Zobel  
U.S. District Court Judge